

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS**

**ROMEK FIGA D/B/A ABRAHAM &
SON,**

PLAINTIFF,

V.

APPLE INC.

DEFENDANT.

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C.A. NO. 08-10304-NG

STIPULATION OF DISMISSAL WITH PREJUDICE

Pursuant to Fed. R. Civ. P. 41(a)(1)(A)(ii), Plaintiff and Counterclaim-Defendant Romek Figa d/b/a Abraham & Son and Defendant and Counterclaim-Plaintiff Apple Inc. hereby stipulate and agree to the dismissal with prejudice of all claims and counterclaims in the above captioned action, with all rights of appeal being waived. The parties further stipulate that they shall each bear their own attorneys' fees, expenses, and costs.

Dated: December 21, 2009

Respectfully submitted,

ROMEK FIGA,
D/B/A ABRAHAM & SON

APPLE INC.

By his Attorneys,

By its Attorneys,

/s/ Jack C. Schechter

/s/ Lawrence K. Kolodney

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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that this document filed through the ECF system will be sent electronically to the registered participants as identified on the Notice of Electronic Filing (NEF) on the date below.

Dated: December 21, 2009

/s/ Jack C. Schecter

Jack C. Schecter

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